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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/988,037	11/16/2001	Kazuhito Gassho	111104	7948
7590	04/28/2006		EXAMINER	
Peter B. Martine MARTINE & PENILLA, LLP 710 Lakeway Drive Suite 170 Sunnyvale, CA 94085			ROBINSON, MYLES D	
			ART UNIT	PAPER NUMBER
			2625	
DATE MAILED: 04/28/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/988,037	GASSHO ET AL.
	Examiner	Art Unit
	Myles D. Robinson	2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 09 February 2006.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1, 3 - 9, 11 and 13 - 18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 1, 3 - 5, 13 and 16 is/are allowed.
- 6) Claim(s) 6 - 9, 11, 13 - 15, 17 and 18 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 09 February 2000 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

## DETAILED ACTION

### *Response to Amendment*

1. Applicant's amendment was received on 2/9/2006, and has been entered and made of record. Currently, ***claims 1, 3 – 9, 11 and 13 – 18*** are pending.

### *Response to Arguments*

2. Applicant's arguments filed 2/9/2006 have been fully considered but they are not persuasive.

Regarding ***claims 6 – 9, 11, 14, 15, 17 and 18***, the Applicant argues that **Hube** (U.S. Patent No. 5,517,316) does not disclose, teach or suggest "the creating of a daughter job from a mother job that is proof-printed, and the printing of the created daughter job" (see page 10, lines 3 – 5, 11 – 13 and page 12, lines 10 – 13). However, Hube does disclose the creation of daughter jobs (see Fig. 10, offspring jobs A1, A2, A3, ... AN) from a mother job (see Fig. 10, parent job A) that is proof-printed. Proof printing is the printing of a trial sheet that is made to be checked or corrected, and the Applicant has conceded that Hube discloses a copy of a parent job is first printed and then edited (see Hube, Fig. 11 wherein the procedures may loop through the iterative selection of "no" in step 218 is considered analogous to creating a daughter job from a mother job, or an offspring job A1, A2, A3, ... AN from a parent job A, after the conclusion of a proof printing, column 8, lines 10 – 17 and Applicant's Remarks, page 10, lines 5 – 6) which meets the standard of which one of ordinary skill in the art would recognize as proof printing. Furthermore, Hube discloses the printing of a created

daughter job wherein the creation of a daughter job for printing results after designating the parent job A (see Fig. 11, step 220), creating other offspring jobs A1, A2, A3, ... AN (see Fig. 11, step 216) and printing of said offspring jobs A1, A2, A3, ... AN (see Fig. 11, YES in step 218 to step 228). Therefore, the Applicant's arguments regarding claims 6 – 9, 11, 14, 15, 17 and 18 are considered not persuasive. Please cite rationale of the grounds of rejection below for further explanation.

3. Applicant's arguments filed 2/9/2006 (see page 10, line 22 – page 11, line 3) with respect to **claims 1, 3 – 5, 13 and 16** have been fully considered and are persuasive. The rejections of claims 1, 3 – 5, 13 and 16 have been withdrawn.

#### ***Information Disclosure Statement***

4. The examiner has considered the references listed in the Information Disclosure Statement (IDS) submitted on 1/10/2006 (see attached PTO-1449).

#### ***Claim Rejections - 35 USC § 102***

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. **Claims 9, 11, 14 and 17** are rejected under 35 U.S.C. 102(b) as being anticipated by **Hube** (U.S. Patent No. 5,517,316).

Referring to **claim 9**, Hube discloses a job management apparatus that manages statuses of print jobs in conformity with International Standard ISO/IEC10175-1, said job management apparatus comprising:

a proof printing module that shifts a print job (see Fig. 10, parent job A), to which a proof printing instruction is given (column 8, lines 10 – 17 wherein the job is edited, or proofed, and then shifted in step 220), to a printable status,

a job creation module that creates a daughter job (see Fig. 10, offspring jobs A1, A2, A3, ... AN, Fig. 11, step 216, and column 7, lines 22 – 25) from the print job as a copy of a mother job (see Fig. 10, parent job A) after conclusion of proof printing (column 8, lines 10 – 17), where attribute information of the daughter job with regard to at least a number of copies to be printed has a predetermined relation to corresponding attribute information of the mother job (see Fig. 10, pointers 203 and 202 to database 200, Fig. 11, steps 212, 222, column 6, lines 37 – 39, 52 – 55, column 7, lines 38 – 51, and column 8, lines 3 – 5, 17 – 19), and

a main printing module that shifts the daughter job to a printable status in response to input of a main printing instruction (see Fig. 11, steps 218, 228 and column 8, lines 8 – 10, 26 – 29). Furthermore, wherein the flow diagram in Fig. 11 in which the procedures may loop through the iterative selection of “no” in step 218 is considered analogous to creating a daughter job from a mother job, or an offspring job A1, A2, A3, ... AN from a parent job A, after the conclusion of a proof printing.

Referring to **claim 11**, Hube discloses a job management apparatus that manages a status of a print job to be executed with a printing apparatus, said job management apparatus comprising:

a job creation module that creates at least one daughter job (see Fig. 10, offspring jobs A1, A2, A3, ... AN) from a print job, to which a proof printing instruction is

given, as copies of a mother job (see Fig. 10, parent job A, Fig. 11, steps 204, 216, column 6, lines 43 – 47, column 7, lines 9 – 22, 57 – 58, and column 8, lines 6 – 8 wherein a copy of the parent job A, i.e. offspring jobs A1, A2, A3,... AN, are created),

a proofing module that carries out proof printing with regard to one of the mother job and the at least one daughter job (see Fig. 11, step 218 wherein one of the offspring jobs A1, A2, A3,... AN are printed and column 8, lines 8 – 14 wherein the job is edited, or proofed, and then shifted in step 220), and

a main printing module that carries out main printing with regard to a residual one (see Fig. 10, offspring jobs A1, A2, A3, ... AN) of the mother job and the at least one daughter job (see Fig. 11, steps 208, 228, column 8, lines 6 – 19 and 26 – 28). The offspring jobs A1, A2, A3, ... AN are considered analogous to either the at least one of the daughter jobs or the residual job (see Fig. 10).

Referring to **claim 14**, the rationale provided in the rejection of claim 11 is incorporated herein. In addition, the apparatus of claim 11 performs the method of claim 14.

Referring to **claim 17**, the rationale provided in rejection of claim 14 is incorporated herein. The method of claim 14 is stored as a program of instructions of claim 17 within memory (see Fig. 2, main memory 56 and column 5, lines 31 – 37) and executed by a series of processors (column 5, line 54 – column 6, line 6).

7. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

8. **Claims 6, 7, 15 and 18** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Hube** (U.S. Patent No. 5,517,316) in view of **Tang et al.** (U.S. Patent No. 6,160,629).

Referring to **claim 6**, Hube discloses a job management apparatus that manages statuses of print jobs in conformity with International Standard ISO/IEC10175-1, said job management apparatus comprising:

a job creation module that creates at least one daughter job (see Fig. 10, offspring jobs A1, A2, A3, ... AN) from a print job as copies of a mother job (see Fig. 10, parent job A, Fig. 11, steps 204, 216, column 6, lines 43 – 47, column 7, lines 9 – 22, 57 – 58, and column 8, lines 6 – 8 wherein a copy of the parent job A, i.e. offspring jobs A1, A2, A3,... AN, are created),

a proof printing module that selects one among the mother job and the at least one daughter job as a proof print job (column 8, lines 10 – 17 wherein the job is edited, or proofed, and then shifted in step 220) and shifts the proof print job to a printable status while holding a residual print job (see Fig. 10, offspring jobs A1, A2, A3, ... AN, Fig. 11, steps 218, 220, 222), and

a main printing modules that shifts the residual print job to a printable status in response to input of a main printing instruction (see Fig. 11, steps 208, 228, column 8, lines 6 – 19 and 26 – 28). The offspring jobs A1, A2, A3, ... AN are considered analogous to either the at least one of the daughter jobs or the residual job (see Fig. 10)

and are considered to be in a held status when stored in a waiting queue (see Fig. 7, job 156 held in job file 155) separate and independent of a printing queue (see Fig. 7, job 156 processing in print queue 165, column 5, lines 34 – 37 and column 6, lines 29 – 35 and 52 – 55) but does not explicitly disclose a job management apparatus wherein the job creation module creates when given a proof printing instruction.

Tang et al. disclose a job management apparatus (column 4, lines 37 – 40, column 4, line 67 – column 5, line 11) wherein the job creation module creates when given a proof printing instruction (see Fig. 3, user interface 38, Fig. 4C, 'Proof and Hold' menu, column 4, lines 45 – 48, column 5, lines 25 – 27, 40 – 44 and column 6, lines 2 – 6).

Hube and Tang are combinable because they are both from the same field of endeavor, being print job management systems invoking a job retention status, whether temporarily or permanently. At the time of the invention, it would have been obvious to one of ordinary skill in the art to include an instruction to implement proof printing within a print job management system of multiple jobs, some print pending while others held temporarily or permanently. The suggestion/motivation for doing so would have been to provide a variety of advanced print job control features to generate multiple copies, as suggested by Tang et al. (column 1, line 62 – column 2, line 17).

Referring to **claim 7**, Hube discloses the apparatus further wherein said job creation module attaches attribute information, which regards a mapping of the selected print job executed by said proof printing module to the residual print job, to at least

either of the selected print job and the residual print job (see Fig. 11, step 212, column 8, lines 3 – 5 and column 7, lines 38 – 51), and

    said main printing module identifies the residual print job based on the attribute information (column 6, lines 37 – 39 and 53 – 55).

    Referring to **claim 15**, the rationale provided in the rejection of claim 12 is incorporated herein. In addition, the apparatus of claim 12 performs the method of claim 15.

    Referring to **claim 18**, the rationale provided in rejection of claim 15 is incorporated herein. The method of claim 15 is stored as a program of instructions of claim 18 within memory (see Hube, Fig. 2, main memory 56 and column 5, lines 31 – 37) and executed by a series of processors (column 5, line 54 – column 6, line 6).

9.     **Claim 8** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Hube** (U.S. Patent No. 5,517,316) in view of **Suzuki et al.** (U.S. Patent No. 6,213,652 B1) and further in view of **Tang et al.** (U.S. Patent No. 6,160,629).

    Referring to **claim 8**, Hube discloses the apparatus as discussed above in the rejection of claim 6 but does not explicitly disclose a job management apparatus that manages statuses of print jobs in conformity with International Standard ISO/IEC10175-1 further comprising a holding module that shifts the proof print job to either one of a 'held' status and a 'retained' status on completion of proof print job.

    Suzuki et al. disclose a job management apparatus (see Fig. 1, job processing system 10, column 14, lines 53 – 54, column 15, lines 9 – 13 and column 17, lines 29 – 48) that manages statuses of print jobs in conformity with International Standard

ISO/IEC10175-1. In Fig. 1, the hold queue 19 conforms to the 'held' status disclosed in the standard (see Fig. 3, steps S109, S110, S111, column 16, line 67 – column 17, line 7 and column 18, lines 16 – 22) and the pause queue 21, which operates independently from the hold queue 19, conforms to the print jobs functioning in response to 'pause' and 'resume' commands (see Fig. 34, pausing section 312e, resuming section 312f, column 17, lines 16 – 21, column 46, line 65 – column 47, line 6, column 47, lines 46 – 60). Although Suzuki et al. does not explicitly disclose conformity with the standard, one of ordinary skill in the art at the time of the invention can ascertain the teachings of Suzuki are functionally equivalent to the teachings of the standard. The hold queue 19 is considered analogous to a holding module that shifts the proof print job to a 'held' status, and the pause queue 21 is considered analogous to a holding module that shifts the proof print job to a 'retained' status. However, Suzuki et al. does not explicitly disclose a holding module that shifts the proof print job on completion of the proof print job.

Tang et al. disclose a job management apparatus (column 3, lines 41 – 47 and column 4, lines 37 – 41) comprising:

a holding module (see Fig. 3, disk drive 30) that shifts the proof print job on completion of the proof print job. The Quick Copy version (see Fig. 4B) is considered analogous to a holding module that shifts the proof print job to a 'held' status upon completion of the proof print job (column 5, lines 32 – 36, 52 – 54 and column 6, lines 2 – 6), and the Proof and Hold (see Fig. 4C) is analogous to a holding module that shifts the proof print job to a 'pause' status upon completion of the print job and awaits a

'resume' command to print residual copies (column 4, line 66 – column 5, line 11, column 5, lines 17 – 24, 40 – 44 and column 6, lines 2 – 6).

Hube, Suzuki, and Tang are combinable because they are from the same field of endeavor, being print job management systems invoking a job retention status, whether temporarily or permanently. At the time of the invention, it would have been obvious to one of ordinary skill in the art to include a print job management system utilizing a holding module to shift a print job to either a hold queue ('held' status) or a pause queue ('pause' status whose status is reversed to printing pending with a 'resume' command) along with a system that manages parent and offspring jobs. Furthermore, it would have been obvious to one of ordinary skill in the art to include print job management system with a holding module to store a proof print job upon its completion. The suggestion/motivation for doing so would have been to use interruption and resumption of multi-document print processing to improving efficiency, as suggested by Suzuki et al. (column 4, line 54 – column 5, 40), and to provide a variety of advanced print job control features to generate multiple copies, as suggested by Tang et al. (column 1, line 62 – column 2, line 17).

#### ***Allowable Subject Matter***

10. The following is a statement of reasons for the indication of allowable subject matter: ***Claims 1, 3 – 5, 13 and 16*** are considered to contain allowable subject matter because, although there is very similar prior art, the innovative limitation that

distinguishes the Applicant's claims are the deletion of the attribute information prior to the shifting of the status or condition of the print job within claims 1, 13 and 16.

***Conclusion***

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Myles D. Robinson whose telephone number is (571) 272-5944. The examiner can normally be reached on M-F 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler M. Lamb can be reached on (571) 272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*MDR 4/18/06*

MDR

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PRIMARY EXAMINER  
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